

ISM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 3319 OF 2018**

Mr. Suraj Vasu Vadwani

....Applicant

Vs.

The State of Maharashtra

....Respondent

Mr. Milan Desai Advocate for the applicant

Mrs. G. P. Mulekar APP for the State.

CORAM : PRAKASH D. NAIK, J.**DATED : 21st DECEMBER, 2018****P.C.**

This is an application for bail in Special Case No. 139 of 2016 pending in Special Court POCSO at Dindoshi arising out of crime no. 642 of 2015 registered with Samta Nagar Police Station. Offence is registered under sections 452, 354 of the India Penal Code and Section 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.

2 It appears that charge-sheet was filed on the date when the

This order is modified pursuant to speaking to the minutes order dated 25/02/2019.

applicant was not present in the Court. Thereafter, the Rozanama indicates that the accused is in custody although applicant was on bail. It is contended that the applicant on account of Rozanama was not in a position to understand on what date applicant has to appear in the court. The Trial Court therefore issued warrant against the applicant and he was taken in custody on 20/08/2018. It is submitted that if the applicant is granted bail, he would abide by any condition.

3 The learned APP submitted that for a long period of time, applicant did not appear before the Trial Court and in the circumstances, the Trial Court had issued warrant against the applicant which was executed and applicant is arrested.

4 I have perused the papers. Applicant was granted bail by order dated 05/12/22015 by the Sessions Judge. He is prosecuted for offence as stated herein above. For not remaining present, applicant has been taken into custody. He is in custody since 20/08/2018. Considering circumstances, bail can be granted to the applicant on

This order is modified pursuant to speaking to the minutes order dated 25/02/2019.

certain terms and conditions.

ORDER

(I) Bail Application No. 3319 of 2018

(II) Applicant is directed to be released on bail in connection with crime no. 642 of 2015 registered with Samta Nagar Police Station, on furnishing P.R. bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.

(III) Applicant shall attend the Trial Court regularly on the date of hearing of the case. In the event of any default in appearing before the Court, unless an applicant is exempted by the Court, the Trial Court may initiate appropriate action against the applicant.

5 Application stands disposed of.

[PRAKASH D. NAIK, J.]

This order is modified pursuant to speaking to the minutes order dated 25/02/2019.